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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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GARY RAY SANGSTER,

Plaintiff,

*versus*

DARREN WALLACE, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:13-CV-646

**MEMORANDUM ORDER ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Gary Ray Sangster, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed the above-styled civil rights lawsuit pursuant to 42 U.S.C. § 1983 against Darren Wallace, Henry Adams and Eric Brisco.


The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this matter. The magistrate judge recommends that the denial of due process of law claim against defendant Adams be dismissed as frivolous and for failure to state a claim upon which relief may be granted.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

## ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. The denial of due process of law claim against defendant Adams is **DISMISSED** as frivolous and for failure to state a claim upon which relief may be granted.

SIGNED at Beaumont, Texas, this 30th day of October, 2015.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE